

erosion of our common values. So if we want to fully dig ourselves out of this crisis, we're going to need to do more than just change policy. We need all of us to live up to our responsibilities. Government must set the rules of the road that are fair and fairly enforced. Banks and lenders must end the practices that added to this mess. Individuals must take responsibility for their own actions. And all of us must learn to live within our means again.

I believe we're moving in the right direction. But I want to remind everybody that it took many years and many failures to get us here, and it's going to take some time to get us out. The stock market will rise and fall. The job market has taken a beating and won't be back immediately. The housing market still has a long way to go. But I'm confident we will get there. And if we keep at it, if we all do our part to ush-

er in a new era of responsibility, then I'm convinced that we will recover from this recession, and we're going to come out on the other side stronger and more prosperous as a nation and as a people.

So with that, I'm going to sign the Fraud Enforcement and Recovery Act along with these extraordinary legislators who helped to make it happen. Give them a big round of applause.

*[The President signed the bill.]*

All right. There we go.

NOTE: The President spoke at 4:38 p.m. in the East Room at the White House. S. 386, approved May 20, was assigned Public Law No. 111–21; and S. 896, approved May 20, was assigned Public Law No. 111–22.

## Statement on Signing the Fraud Enforcement and Recovery Act of 2009 *May 20, 2009*

Today I have signed into law S. 386, the “Fraud Enforcement and Recovery Act of 2009.” This Act provides Federal investigators and prosecutors with significant new criminal and civil tools to assist in holding accountable those who have committed financial fraud. These legislative enhancements will help the Department of Justice to combat mortgage fraud, securities and commodities fraud, and related offenses, and to protect taxpayer money that has been expended on recent economic stimulus and rescue packages. With the tools that the Act provides, the Department of Justice and others will be better equipped to address the challenges that face the Nation in difficult economic times and to do their part to help the Nation respond to this challenge.

Section 5(d) of the Act requires every department, agency, bureau, board, commission, office, independent establishment, or instrumentality of the United States to furnish to the Financial Crisis Inquiry Commission, a legislative entity, any information related to any Commission inquiry. As my Administration communicated to the Congress during the legislative process, the executive branch will construe this subsection of the bill not to abrogate any constitutional privilege.

BARACK OBAMA

The White House,  
May 20, 2009.

NOTE: S. 386, approved May 20, was assigned Public Law No. 111–21.

## Remarks at the National Archives and Records Administration *May 21, 2009*

Good morning, everybody. Please be seated. Thank you all for being here. Let me just acknowledge the presence of some of my out-

standing Cabinet members and advisers. We've got our Secretary of State, Hillary Clinton. We have our CIA Director, Leon Panetta. We have

our Secretary of Defense, William [Robert]<sup>\*</sup> Gates; Secretary Napolitano of Department of Homeland Security; Attorney General Eric Holder; my National Security Adviser, Jim Jones. And I want to especially thank our Acting Archivist of the United States, Adrienne Thomas.

I also want to acknowledge several Members of the House who have great interest in intelligence matters. I want to thank Congressman Reyes, Congressman Hoekstra, Congressman King, as well as Congressman Thompson for being here today. Thank you so much.

These are extraordinary times for our country. We're confronting a historic economic crisis. We're fighting two wars. We face a range of challenges that will define the way that Americans will live in the 21st century. So there's no shortage of work to be done or responsibilities to bear.

And we've begun to make progress. Just this week, we've taken steps to protect American consumers and homeowners and to reform our system of Government contracting so that we better protect our people while spending our money more wisely. The—it's a good bill. [*Laughter*] The engines of our economy are slowly beginning to turn, and we're working towards historic reform on health care and on energy. And I want to say to the Members of Congress, I welcome all the extraordinary work that has been done over these last 4 months on these and other issues.

In the midst of all these challenges, however, my single most important responsibility as President is to keep the American people safe. It's the first thing that I think about when I wake up in the morning. It's the last thing that I think about when I go to sleep at night.

And this responsibility is only magnified in an era when an extremist ideology threatens our people and technology gives a handful of terrorists the potential to do us great harm. We are less than 8 years removed from the deadliest attack on American soil in our history. We know that Al Qaida is actively planning to attack us again. We know that this threat

will be with us for a long time, and that we must use all elements of our power to defeat it.

Already, we've taken several steps to achieve that goal. For the first time since 2002, we're providing the necessary resources and strategic direction to take the fight to the extremists who attacked us on 9/11, in Afghanistan and Pakistan. We're investing in the 21st century military and intelligence capabilities that will allow us to stay one step ahead of a nimble enemy. We have reenergized a global nonproliferation regime to deny the world's most dangerous people access to the world's deadliest weapons. And we've launched an effort to secure all loose nuclear materials within 4 years. We're better protecting our border and increasing our preparedness for any future attack or natural disaster. We're building new partnerships around the world to disrupt, dismantle, and defeat Al Qaida and its affiliates. And we have renewed American diplomacy so that we once again have the strength and standing to truly lead the world.

And these steps are all critical to keeping America secure. But I believe with every fiber of my being that in the long run we also cannot keep this country safe unless we enlist the power of our most fundamental values. The documents that we hold in this very hall, the Declaration of Independence, the Constitution, the Bill of Rights, these are not simply words written into aging parchment. They are the foundation of liberty and justice in this country and a light that shines for all who seek freedom, fairness, equality, and dignity around the world.

I stand here today as someone whose own life was made possible by these documents. My father came to these shores in search of the promise that they offered. My mother made me rise before dawn to learn their truths when I lived as a child in a foreign land. My own American journey was paved by generations of citizens who gave meaning to those simple words: "to form a more perfect union." I've studied the Constitution as a student; I've taught it as a teacher; I've been bound by it as

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<sup>\*</sup> White House correction.

a lawyer and a legislator. I took an oath to preserve, protect, and defend the Constitution as Commander in Chief. And as a citizen, I know that we must never, ever, turn our back on its enduring principles for expedience sake.

I make this claim not simply as a matter of idealism. We uphold our most cherished values not only because doing so is right, but because it strengthens our country and it keeps us safe. Time and again, our values have been our best national security asset in war and peace, in times of ease and in eras of upheaval.

Fidelity to our values is the reason why the United States of America grew from a small string of colonies under the writ of an empire to the strongest nation in the world. It's the reason why enemy soldiers have surrendered to us in battle, knowing they'd receive better treatment from America's Armed Forces than from their own government. It's the reason why America has benefited from strong alliances that amplified our power and drawn a sharp, moral contrast with our adversaries. It's the reason why we've been able to overpower the iron fist of fascism and outlast the Iron Curtain of communism and enlist free nations and free peoples everywhere in the common cause and common effort of liberty.

From Europe to the Pacific, we've been the nation that has shut down torture chambers and replaced tyranny with the rule of law. That is who we are. And where terrorists offer only the injustice of disorder and destruction, America must demonstrate that our values and our institutions are more resilient than a hateful ideology.

After 9/11, we knew that we had entered a new era; that enemies who did not abide by any law of war would present new challenges to our application of the law; that our Government would need new tools to protect the American people, and that these tools would have to allow us to prevent attacks instead of simply prosecuting those who tried to carry them out.

Unfortunately, faced with an uncertain threat, our Government made a series of hasty decisions. I believe that many of these decisions were motivated by a sincere desire to protect the American people. But I also believe that all too often, our Government made decisions

based on fear rather than foresight; that all too often, our Government trimmed facts and evidence to fit ideological predispositions. Instead of strategically applying our power and our principles, too often we set those principles aside as luxuries that we could no longer afford. And during this season of fear, too many of us—Democrats and Republicans, politicians, journalists, and citizens—fell silent.

In other words, we went off course. And this is not my assessment alone. It was an assessment that was shared by the American people, who nominated candidates for President from both major parties who, despite our many differences, called for a new approach, one that rejected torture and one that recognized the imperative of closing the prison at Guantanamo Bay.

Now let me be clear: We are indeed at war with Al Qaida and its affiliates. We do need to update our institutions to deal with this threat. But we must do so with an abiding confidence in the rule of law and due process, in checks and balances and accountability. For reasons that I will explain, the decisions that were made over the last 8 years established an ad hoc legal approach for fighting terrorism that was neither effective nor sustainable, a framework that failed to rely on our legal traditions and time-tested institutions and that failed to use our values as a compass. And that's why I took several steps upon taking office to better protect the American people.

First, I banned the use of so-called enhanced interrogation techniques by the United States of America. Now, I know some have argued that brutal methods like waterboarding were necessary to keep us safe. I could not disagree more. As Commander in Chief, I see the intelligence; I bear the responsibility for keeping this country safe. And I categorically reject the assertion that these are the most effective means of interrogation. What's more, they undermine the rule of law. They alienate us in the world. They serve as a recruitment tool for terrorists and increase the will of our enemies to fight us, while decreasing the will of others to work with America. They risk the lives of our troops by making it less likely that others will surrender to them in battle and more likely that Americans

will be mistreated if they are captured. In short, they did not advance our war and counterterrorism efforts; they undermined them. And that is why I ended them once and for all.

Now, I should add, the arguments against these techniques did not originate from my administration. As Senator McCain once said, torture “serves as a great propaganda tool for those who recruit people to fight against us.” And even under President Bush, there was recognition among members of his own administration—including a Secretary of State, other senior officials, and many in the military and intelligence community—that those who argued for these tactics were on the wrong side of the debate and the wrong side of history. That’s why we must leave these methods where they belong, in the past. They are not who we are, and they are not America.

Now, the second decision that I made was to order the closing of the prison camp at Guantanamo Bay. For over 7 years, we have detained hundreds of people at Guantanamo. During that time, the system of military commissions that were in place at Guantanamo succeeded in convicting a grand total of three suspected terrorists. Let me repeat that: three convictions in over 7 years. Instead of bringing terrorists to justice, efforts at prosecution met setback after setback, cases lingered on, and in 2006, the Supreme Court invalidated the entire system. Meanwhile, over 525 detainees were released from Guantanamo under not my administration, under the previous administration. Let me repeat that: Two-thirds of the detainees were released before I took office and ordered the closure of Guantanamo.

There is also no question that Guantanamo set back the moral authority that is America’s strongest currency in the world. Instead of building a durable framework for the struggle against Al Qaida that drew upon our deeply held values and traditions, our Government was defending positions that undermined the rule of law. In fact, part of the rationale for establishing Guantanamo in the first place was the misplaced notion that a prison there would be beyond the law, a proposition that the Supreme Court soundly rejected. Meanwhile, instead of serving as a tool to counter terrorism,

Guantanamo became a symbol that helped Al Qaida recruit terrorists to its cause. Indeed, the existence of Guantanamo likely created more terrorists around the world than it ever detained.

So the record is clear. Rather than keeping us safer, the prison at Guantanamo has weakened American national security. It is a rallying cry for our enemies. It sets back the willingness of our allies to work with us in fighting an enemy that operates in scores of countries. By any measure, the costs of keeping it open far exceed the complications involved in closing it. That’s why I argued that it should be closed throughout my campaign, and that is why I ordered it closed within 1 year.

And the third decision that I made was to order a review of all pending cases at Guantanamo. I knew when I ordered Guantanamo closed that it would be difficult and complex. There are 240 people there who have now spent years in legal limbo. In dealing with this situation, we don’t have the luxury of starting from scratch. We’re cleaning up something that is, quite simply, a mess, a misguided experiment that has left in its wake a flood of legal challenges that my administration is forced to deal with on a constant, almost daily basis, and it consumes the time of Government officials whose time should be spent on better protecting our country.

Indeed, the legal challenges that have sparked so much debate in recent weeks here in Washington would be taking place whether or not I decided to close Guantanamo. For example, the court order to release 17 Uighurs—17 Uighur detainees took place last fall, when George Bush was President. The Supreme Court that invalidated the system of prosecution at Guantanamo in 2006 was overwhelmingly appointed by Republican Presidents, not wild-eyed liberals. In other words, the problem of what to do with Guantanamo detainees was not caused by my decision to close the facility; the problem exists because of the decision to open Guantanamo in the first place.

So—now let me be blunt: There are no neat or easy answers here. I wish there were. But I can tell you that the wrong answer is to

pretend like this problem will go away if we maintain an unsustainable status quo. As President, I refuse to allow this problem to fester; I refuse to pass it on to somebody else. It is my responsibility to solve the problem. Our security interests will not permit us to delay. Our courts won't allow it, and neither should our conscience.

Now, over the last several weeks, we've seen a return of the politicization of these issues that have characterized the last several years. I'm an elected official; I understand these problems around—arouse passions and concerns. They should. We're confronting some of the most complicated questions that a democracy can face. But I have no interest in spending all of our time relitigating the policies of the last 8 years. I'll leave that to others. I want to solve these problems, and I want to solve them together as Americans.

And we will be ill-served by some of the fear-mongering that emerges whenever we discuss this issue. Listening to the recent debate, I've heard words that, frankly, are calculated to scare people rather than educate them, words that have more to do with politics than protecting our country. So I want to take this opportunity to lay out what we are doing and how we intend to resolve these outstanding issues. I will explain how each action that we are taking will help build a framework that protects both the American people and the values that we hold most dear. And I'll focus on two broad areas: first, issues relating to Guantanamo and our detention policy; but, second, I also want to discuss issues relating to security and transparency.

Now, let me begin by disposing of one argument as plainly as I can. We are not going to release anyone if it would endanger our national security, nor will we release detainees within the United States who endanger the American people. Where demanded by justice and national security, we will seek to transfer some detainees to the same type of facilities in which we hold all manner of dangerous and violent criminals within our borders, namely highly secure prisons that ensure the public safety.

As we make these decisions, bear in mind the following fact: Nobody has ever escaped from

one of our Federal super-max prisons, which hold hundreds of convicted terrorists. As Republican Senator Lindsey Graham said, "The idea that we cannot find a place to securely house 250-plus detainees within the United States is not rational."

Now, we are currently in the process of reviewing each of the detainee cases at Guantanamo to determine the appropriate policy for dealing with them. And as we do so, we are acutely aware that under the last administration, detainees were released and, in some cases, returned to the battlefield. That's why we are doing away with the poorly planned, haphazard approach that led those detainees go in the past. Instead, we are treating these cases with the care and attention that the law requires and that our security demands. Now, going forward, these cases will fall into five distinct categories.

First, whenever feasible, we will try those who have violated American criminal laws in Federal courts, courts provided for by the United States Constitution. Some have derided our Federal courts as incapable of handling the trials of terrorists. They are wrong. Our courts and our juries, our citizens, are tough enough to convict terrorists. The record makes that clear. Ramzi Yousef tried to blow up the World Trade Center. He was convicted in our courts and is serving a life sentence in U.S. prisons. Zacarias Moussaoui has been identified as the 20th 9/11 hijacker. He was convicted in our courts, and he too is serving a life sentence in prison. If we can try those terrorists in our courts and hold them in our prisons, then we can do the same with detainees from Guantanamo.

Now, recently we prosecuted and received a guilty plea from a detainee, al-Marri, in Federal court after years of legal confusion. We're preparing to transfer another detainee to the Southern District Court of New York, where he will face trial on charges related to the 1998 bombings of our Embassies in Kenya and Tanzania, bombings that killed over 200 people. Preventing this detainee from coming to our shores would prevent his trial and conviction. And after over a decade, it is time to finally see that justice is served, and that is what we intend to do.

The second category of cases involves detainees who violate the laws of war and are therefore best tried through military commissions. Now, military commissions have a history in the United States dating back to George Washington and the Revolutionary War. They are an appropriate venue for trying detainees for violations of the laws of war. They allow for the protection of sensitive sources and methods of intelligence gathering; they allow for the safety and security of participants and for the presentation of evidence gathered from the battlefield that cannot always be effectively presented in Federal courts.

Now, some have suggested that this represents a reversal on my part. They should look at the record. In 2006, I did strongly oppose legislation proposed by the Bush administration and passed by the Congress because it failed to establish a legitimate legal framework with the kind of meaningful due process, rights for the accused, that could stand up on appeal.

I said at that time, however, that I supported the use of military commissions to try detainees, provided there were several reforms, and, in fact, there were some bipartisan efforts to achieve those reforms. Those are the reforms that we are now making. Instead of using the flawed commissions of the last 7 years, my administration is bringing our commissions in line with the rule of law. We will no longer permit the use of evidence—as evidence, statements that have been obtained using cruel, inhuman, or degrading interrogation methods. We will no longer place the burden to prove that hearsay is unreliable on the opponent of the hearsay. And we will give detainees greater latitude in selecting their own counsel and more protections if they refuse to testify. These reforms, among others, will make our military commissions a more credible and effective means of administering justice, and I will work with Congress and members of both parties, as well as legal authorities across the political spectrum, on legislation to ensure that these commissions are fair, legitimate, and effective.

The third category of detainees includes those who have been ordered released by the

courts. Now let me repeat what I said earlier: This has nothing to do with my decision to close Guantanamo; it has to do with the rule of law. The courts have spoken. They have found that there's no legitimate reason to hold 21 of the people currently held at Guantanamo. Nineteen of these findings took place before I was sworn into office. I cannot ignore these rulings because as President, I too am bound by the law. The United States is a nation of laws, and so we must abide by these rulings.

The fourth category of cases involves detainees who we have determined can be transferred safely to another country. So far, our review team has approved 50 detainees for transfer. And my administration is in ongoing discussions with a number of other countries about the transfer of detainees to their soil for detention and rehabilitation.

Now, finally, there remains the question of detainees at Guantanamo who cannot be prosecuted yet who pose a clear danger to the American people. And I have to be honest here: This is the toughest single issue that we will face. We're going to exhaust every avenue that we have to prosecute those at Guantanamo who pose a danger to our country. But even when this process is complete, there may be a number of people who cannot be prosecuted for past crimes, in some cases because evidence may be tainted, but who, nonetheless, pose a threat to the security of the United States. Examples of that threat include people who've received extensive explosives training at Al Qaida training camps, or commanded Taliban troops in battle, or expressed their allegiance to Usama bin Laden, or otherwise made it clear that they want to kill Americans. These are people who, in effect, remain at war with the United States.

Let me repeat: I am not going to release individuals who endanger the American people. Al Qaida terrorists and their affiliates are at war with the United States, and those that we capture, like other prisoners of war, must be prevented from attacking us again. Now, having said that, we must recognize that these detention policies cannot be unbounded; they can't be based simply on what I or the executive branch decide alone. And that's why my

administration has begun to reshape the standards that apply to ensure that they are in line with the rule of law. We must have clear, defensible, and lawful standards for those who fall into this category. We must have fair procedures so that we don't make mistakes. We must have a thorough process of periodic review so that any prolonged detention is carefully evaluated and justified.

I know that creating such a system poses unique challenges. And other countries have grappled with this question; now, so must we. But I want to be very clear that our goal is to construct a legitimate legal framework for the remaining Guantanamo detainees that cannot be transferred. Our goal is not to avoid a legitimate legal framework. In our constitutional system, prolonged detention should not be the decision of any one man. If and when we determine that the United States must hold individuals to keep them from carrying out an act of war, we will do so within a system that involves judicial and congressional oversight. And so, going forward, my administration will work with Congress to develop an appropriate legal regime so that our efforts are consistent with our values and our Constitution.

Now, as our efforts to close Guantanamo move forward, I know that the politics in Congress will be difficult. These are issues that are fodder for 30-second commercials. You can almost picture the direct mail pieces that emerge from any vote on this issue, designed to frighten the population. I get it. But if we continue to make decisions within a climate of fear, we will make more mistakes. And if we refuse to deal with these issues today, then I guarantee you that they will be an albatross around our efforts to combat terrorism in the future.

I have confidence that the American people are more interested in doing what is right to protect this country than in political posturing. I am not the only person in this city who swore an oath to uphold the Constitution; so did each and every Member of Congress. And together we have a responsibility to enlist our values in the effort to secure our people and to leave behind the legacy that makes it easier for future Presidents to keep this country safe.

Now let me touch on a second set of issues that relate to security and transparency. National security requires a delicate balance. On the one hand, our democracy depends on transparency. On the other hand, some information must be protected from public disclosure for the sake of our security, for instance, the movement of our troops, our intelligence gathering, or the information we have about a terrorist organization and its affiliates. In these and other cases, lives are at stake.

Now, several weeks ago, as part of an ongoing court case, I released memos issued by the previous administration's Office of Legal Counsel. I did not do this because I disagreed with the enhanced interrogation techniques that those memos authorized, and I didn't release the documents because I rejected their legal rationales, although I do on both counts. I released the memos because the existence of that approach to interrogation was already widely known, the Bush administration had acknowledged its existence, and I had already banned those methods. The argument that somehow by releasing those memos we are providing terrorists with information about how they will be interrogated makes no sense. We will not be interrogating terrorists using that approach. That approach is now prohibited.

In short, I released these memos because there was no overriding reason to protect them. And the ensuing debate has helped the American people better understand how these interrogation methods came to be authorized and used.

On the other hand, I recently opposed the release of certain photographs that were taken of detainees by U.S. personnel between 2002 and 2004. Individuals who violated standards of behavior in these photos have been investigated, and they have been held accountable. There was and is no debate as to whether what is reflected in those photos is wrong. Nothing has been concealed to absolve perpetrators of crimes. However, it was my judgment, informed by my national security team, that releasing these photos would inflame anti-American opinion and allow our enemies to paint U.S. troops with a broad, damning, and inaccurate

brush, thereby endangering them in theaters of war.

In short, there is a clear and compelling reason to not release these particular photos. There are nearly 200,000 Americans who are serving in harm's way, and I have a solemn responsibility for their safety as Commander in Chief. Nothing would be gained by the release of these photos that matters more than the lives of our young men and women serving in harm's way.

Now, in the press's mind and in some of the public's mind, these two cases are contradictory. They are not to me. In each of these cases, I had to strike the right balance between transparency and national security. And this balance brings with it a precious responsibility. There's no doubt that the American people have seen this balance tested over the last several years. In the images from Abu Ghraib and the brutal interrogation techniques made public long before I was President, the American people learned of actions taken in their name that bear no resemblance to the ideals that generations of Americans have fought for. And whether it was the runup to the Iraq war or the revelation of secret programs, Americans often felt like part of the story had been unnecessarily withheld from them. And that caused suspicion to build up, and that leads to a thirst for accountability.

I understand that. I ran for President promising transparency, and I meant what I said. And that's why, whenever possible, my administration will make all information available to the American people, so that they can make informed judgments and hold us accountable. But I have never argued, and I never will, that our most sensitive national security matters should simply be an open book. I will never abandon and will vigorously defend the necessity of classification to defend our troops at war, to protect sources and methods, and to safeguard confidential actions that keep the American people safe. Here's the difference, though: Whenever we cannot release certain information to the public for valid national security reasons, I will insist that there is oversight of my actions by Congress or by the courts.

We're currently launching a review of current policies by all those agencies responsible for the classification of documents to determine where reforms are possible and to assure that the other branches of Government will be in a position to review executive branch decisions on these matters, because in our systems of checks and balances, someone must always watch over the watchers, especially when it comes to sensitive administration—information.

Now, along these same lines, my administration is also confronting challenges to what is known as the state secrets privilege. This is a doctrine that allows the Government to challenge legal cases involving secret programs. It's been used by many past Presidents—Republican and Democrat—for many decades. And while this principle is absolutely necessary in some circumstances to protect national security, I am concerned that it has been overused. It is also currently the subject of a wide range of lawsuits. So let me lay out some principles here. We must not protect information merely because it reveals the violation of a law or embarrassment to the Government. And that's why my administration is nearing completion of a thorough review of this practice.

And we plan to embrace several principles for reform. We will apply a stricter legal test to material that can be protected under the state secrets privilege. We will not assert the privilege in court without first following our own formal process, including review by a Justice Department committee and the personal approval of the Attorney General. And each year, we will voluntarily report to Congress when we have invoked the privilege and why, because, as I said before, there must be proper oversight over our actions.

On all these matters related to the disclosure of sensitive information, I wish I could say that there was some simple formula out there to be had. There is not. These often involve tough calls, involve competing concerns, and they require a surgical approach. But the common thread that runs through all of my decisions is simple. We will safeguard what we must to protect the American people, but we will also ensure the



accountability and oversight that is the hallmark of our constitutional system. I will never hide the truth because it's uncomfortable. I will deal with Congress and the courts as coequal branches of Government. I will tell the American people what I know and don't know, and when I release something publicly or keep something secret, I will tell you why.

Now, in all the areas that I've discussed today, the policies that I've proposed represent a new direction from the last 8 years. To protect the American people and our values, we've banned enhanced interrogation techniques. We are closing the prison at Guantanamo. We are reforming military commissions, and we will pursue a new legal regime to detain terrorists. We are declassifying more information and embracing more oversight of our actions, and we're narrowing our use of the state secrets privilege. These are dramatic changes that will put our approach to national security on a surer, safer, and more sustainable footing. Their implementation will take time, but they will get done.

There's a core principle that we will apply to all of our actions. Even as we clean up the mess at Guantanamo, we will constantly reevaluate our approach, subject our decisions to review from other branches of Government as well as the public. We seek the strongest and most sustainable legal framework for addressing these issues in the long term, not to serve immediate politics, but to do what's right over the long term. By doing that, we can leave behind a legacy that outlasts my administration, my Presidency, that endures for the next President and the President after that, a legacy that protects the American people and enjoys a broad legitimacy at home and abroad.

Now, this is what I mean when I say that we need to focus on the future. I recognize that many still have a strong desire to focus on the past. When it comes to actions of the last 8 years, passions are high. Some Americans are angry; others want to refight debates that have been settled, in some cases, debates that they have lost. And I know that these debates lead directly, in some cases, to a call for a fuller accounting, perhaps through an independent commission.

Now, I've opposed the creation of such a commission because I believe that our existing democratic institutions are strong enough to deliver accountability. The Congress can review abuses of our values, and there are ongoing inquiries by the Congress into matters like enhanced interrogation techniques. The Department of Justice and our courts can work through and punish any violations of our laws or miscarriages of justice.

It's no secret there is a tendency in Washington to spend our time pointing fingers at one another. And it's no secret that our media culture feeds the impulse that leads to a good fight and good copy. But nothing will contribute more than that than a extended relitigation of the last 8 years. Already, we've seen how that kind of effort only leads those in Washington to different sides, to laying blame. It can distract us from focusing our time, our efforts, and our politics on the challenges of the future.

We see that, above all, in the recent debate—how the recent debate has obscured the truth and sent people into opposite and absolutist ends. On the one side of the spectrum, there are those who make little allowance for the unique challenges posed by terrorism and would almost never put national security over transparency. And on the other end of the spectrum, there are those who embrace a view that can be summarized in two words: "Anything goes." Their arguments suggest that the ends of fighting terrorism can be used to justify any means, and that the President should have blanket authority to do whatever he wants, provided it is a President with whom they agree.

Now, both sides may be sincere in their views, but neither side is right. The American people are not absolutist, and they don't elect us to impose a rigid ideology on our problems. They know that we need not sacrifice our security for our values, nor sacrifice our values for our security, so long as we approach difficult questions with honesty and care and a dose of common sense. That, after all, is the unique genius of America. That's the challenge laid down by our Constitution. That has been the source of our strength through the ages. That's what makes the United States of America different as a nation.

I can stand here today, as President of the United States, and say without exception or equivocation that we do not torture, and that we will vigorously protect our people while forging a strong and durable framework that allows us to fight terrorism while abiding by the rule of law. Make no mistake: If we fail to turn the page on the approach that was taken over the past several years, then I will not be able to say that as President. And if we cannot stand for our core values, then we are not keeping faith with the documents that are enshrined in this hall.

The Framers who drafted the Constitution could not have foreseen the challenges that have unfolded over the last 222 years. But our Constitution has endured through secession and civil rights, through world war and cold war, because it provides a foundation of principles that can be applied pragmatically; it provides a compass that can help us find our way. It hasn't always been easy. We are an imperfect people. Every now and then, there are those who think that America's safety and success requires us to walk away from the sacred principles enshrined in this building. And we hear such voices today. But over the long haul, the American people have resisted that temptation. And though we've made our share of mistakes, required some course corrections, ultimately, we have held fast to the principles that have been the source of our strength and a beacon to the world.

Now this generation faces a great test in the specter of terrorism. And unlike the Civil War or World War II, we can't count on a surrender ceremony to bring this journey to an end.

Right now, in distant training camps and in crowded cities, there are people plotting to take American lives. That will be the case a year from now, 5 years from now, and in all probability, 10 years from now. Neither I nor anyone can stand here today and say that there will not be another terrorist attack that takes American lives. But I can say with certainty that my administration, along with our extraordinary troops and the patriotic men and women who defend our national security, will do everything in our power to keep the American people safe. And I do know with certainty that we can and will defeat Al Qaida. Because the terrorists can only succeed if they swell their ranks and alienate America from our allies, and they will never be able to do that if we stay true to who we are, if we forge tough and durable approaches to fighting terrorism that are anchored in our timeless ideals. This must be our common purpose.

I ran for President because I believe that we cannot solve the challenges of our time unless we solve them together. We will not be safe if we see national security as a wedge that divides America. It can and must be a cause that unites us as one people and as one nation. We've done so before in times that were more perilous than ours; we will do so once again.

Thank you. God bless you, and God bless the United States of America.

NOTE: The President spoke at 10:28 a.m. in the Rotunda. In his remarks, he referred to former Secretary of State Colin L. Powell; and Usama bin Laden, leader of the Al Qaida terrorist organization.

## Remarks Honoring the 2009 Super Bowl Champion Pittsburgh Steelers May 21, 2009

Hello, everybody. I first of all want to just acknowledge a few people that are here. First of all, some of my Cabinet members: Secretary of Agriculture, Tom Vilsack, who grew up as a maniacal Pittsburgh Steeler fan, he is here; Secretary of the Veterans Administration, Eric Shinseki, a war hero and somebody that is do-

ing an outstanding job on behalf of our veterans; we have the Chairman of the Joint Chiefs, Admiral Mullen—Mike Mullen, as well as his lovely wife are here. Please give them a big round of applause. We've got some Pennsylvania folks around here: Senator Bob Casey; Senator Arlen Specter; Teresa Heinz Kerry;